

REMARKS

Claims 1-25 are in this application.

In the office action of July 1, 2004, claims 1-25 are rejected under 35 U.S.C. §§ 102(b) and 103(a) as anticipated by, and unpatentable over, U.S. Patent No. 5,474,235 to Cole et al. The rejections are respectfully traversed for at least the following reasons.

In the office action, independent claims 1, 8, and 17 are rejected as anticipated by Cole. The Examiner alleges that Cole “discloses a method of plating a spray nozzle to prevent corrosion and wear using a titanium coating and a Teflon® coating. It was respectfully submitted that claim 1 does not recite a coating of a material such as Teflon®. Rather, claim 1 recites a step of “plating the spray nozzle with a material, wherein the metal is **impregnated** with a lubricating material.”¹

Accordingly, it was respectfully submitted that coating with Teflon® and plating with a material “**impregnated** with a lubricating material” are not the same. Accordingly, the claim 1 patentably distinguishes over those portions of Cole relied upon by the Examiner, whether used alone or in combination with the knowledge of “one skilled in the art.” Therefore, claim 1 is allowable. Claims 2-7, which depend from claim 1 were argued to be allowable therewith.

In the communication of December 28, 2004, it is alleged that the response to the office action was insufficient in so much as the response was directed to independent claim 1 and it is alleged that independent claims 8 and 17 do not contain similar limitations as claim 1.

¹ The Examiner’s attention is directed to the original response filed on September 27, 2004, where Applicant’s attorneys mischaracterized claim 1 as reciting a step of “plating the spray nozzle with a metal, wherein the metal is impregnated was a lubricating material.” In so much as the claims recite a “material” and not a “metal” the Examiner is respectfully requested to disregard the mischaracterization. The argument regarding claim 1 is repeated herein to clarify that it applies to a material and not a metal as submitted in the original response.

While Applicant's attorneys do not necessarily agree with the characterization of the terms of claims 8 and 17, these claims have been amended herein to clarify the term "lubricious plating" as one "impregnated with a lubricating material."

Again, it is respectfully submitted that a coating of Teflon® and a "lubricious plating **impregnated** with a lubricating material" are not the same. Accordingly, the claims 8 and 17 of the present invention patentably distinguish over those portions of Cole relied upon by the Examiner, whether used alone or in combination with the knowledge of "one skilled in the art." Accordingly, independent claims 8 and 17 are allowable. Claims 9-16, and 18-25 depend from allowable base claims and are allowable. Claims 1-7 were distinguished over the prior art in the response to the office action and are also allowable.


Conclusion

It is respectfully submitted that the instant application is in condition for allowance; and an early notice to this effect is respectfully solicited.

The Commissioner is authorized to charge any additional fees that may be required to Deposit Account No. 50-0320.

Respectfully submitted,
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